

1 TOWNSEND AND TOWNSEND AND CREW LLP
ERIC P. JACOBS (State Bar No. 88413)
2 PETER H. GOLDSMITH (State Bar No. 91294)
ROBERT A. McFARLANE (State Bar No. 172650)
3 IGOR SHOIKET (State Bar No. 190066)
Two Embarcadero Center, 8th Floor
4 San Francisco, California 94111
Telephone: (415) 576-0200
5 Facsimile: (415) 576-0300
E-mail: epjacobs@townsend.com
6 phgoldsmith@townsend.com
ramcfarlane@townsend.com
7 ishoiket@townsend.com

8 Attorneys for Defendant and Counterclaimant
FAIRCHILD SEMICONDUCTOR CORPORATION
9

10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 ALPHA & OMEGA SEMICONDUCTOR,
15 INC., a California corporation; and
16 ALPHA & OMEGA SEMICONDUCTOR,
LTD., a Bermuda corporation,

17 Plaintiffs and Counterdefendants,

18 v.

19 FAIRCHILD SEMICONDUCTOR
CORP., a Delaware corporation,

20 Defendant and Counterclaimant.
21
22
23

24 AND RELATED COUNTERCLAIMS.
25
26
27
28

Case No. C 07-2638 JSW (EDL)
(Consolidated with Case No. C 07-2664 JSW)

**DECLARATION OF LEONARD J.
AUGUSTINE, JR. IN SUPPORT OF
ADMINISTRATIVE MOTION FOR AN
ORDER PERMITTING THE FILING OF
DOCUMENTS UNDER SEAL
PURSUANT TO CIVIL L.R. 79-5(d)**

Date: September 16, 2008
Time: 9:00 a.m.
Courtroom: Courtroom E, 15th Floor

Hon. Elizabeth D. Laporte

1 I, Leonard J. Augustine, Jr., declare as follows:

2 1. I am an attorney and member in good standing of the State Bar of California and the
3 Bar of this Court. I am an associate attorney in the law firm of Townsend and Townsend and Crew
4 LLP ("Townsend"), counsel for Defendant Fairchild Semiconductor Corp. ("Fairchild"). I have
5 personal knowledge of the matters stated, except where otherwise indicated, in this Declaration and
6 could competently testify to them if I were called as a witness.

7 2. On August 2, 2007, the Court entered a Stipulated Protective Order [Docket No. 27] in
8 this case.

9 3. On August 12, 2008, Fairchild lodged with the clerk "Confidential Exhibit 7,"
10 "Confidential Exhibit 18" and "Confidential Exhibit 26" attached to the Declaration of Leonard J.
11 Augustine, Jr. in Support of Fairchild Semiconductor Corporation's Motion to Compel Production of
12 Documents.

13 4. Confidential Exhibits 7, 18 and 26 to the Declaration of Leonard J. Augustine, Jr.
14 contain information that Plaintiffs and Counterdefendants Alpha & Omega Semiconductor, Inc. and
15 Alpha & Omega Semiconductor, Ltd. (collectively, "AOS") have designated "Highly Confidential -
16 Attorneys' Eyes Only" under the Stipulated Protective Order.

17 5. Pursuant to Civil L.R. 79-5(d), within five (5) days of the filing of this Administrative
18 Motion, the designating party, AOS, must file with the Court and serve a declaration establishing that
19 the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing
20 order, or must withdraw the designation of confidentiality

21 I declare under penalty of perjury under the laws of the United States that the foregoing is true
22 and correct and that this Declaration was executed on August 12, 2008 at San Francisco, California.

23
24 By: /s/ Leonard J. Augustine, Jr.
25 Leonard J. Augustine, Jr.

26 61463051 v1
27
28